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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/829,019	
Filing Date	April 20, 2004	
First Named Inventor	Jamy Gannoe	
Art Unit	3731	
Examiner Name	Unassigned	
Total Number of Pages in This Submission	Attorney Docket Number	SATTY 69261

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<b>Postcard 69 References</b>
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		24201

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	FULWIDER PATTONLLP		
Signature	<i>Douglas R. Peterson</i>		
Printed name	DOUGLAS R. PETERSON		
Date	October 12, 2006	Reg. No.	53,458

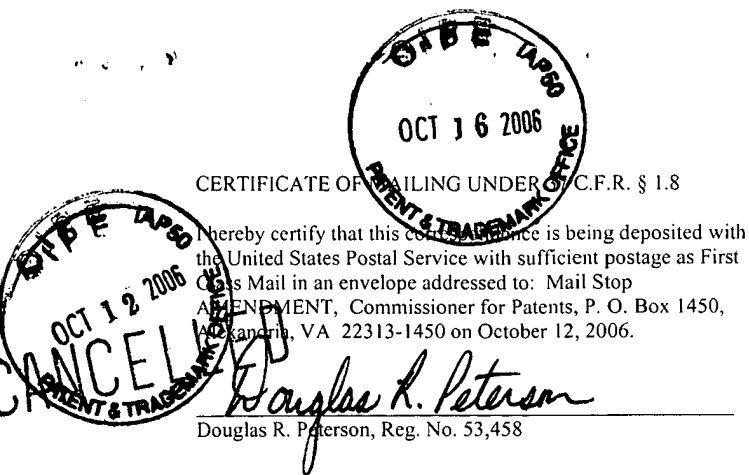
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Typed or printed name	DOUGLAS R. PETERSON	Date	October 12, 2006

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*Douglas R. Peterson*  
Douglas R. Peterson, Reg. No. 53,458

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/029,019  
Applicant : Jamy Gannoe, Gary Weller, Craig Gerbi, Douglas S. Sutton,  
Gilbert Mata Jr., J. Stephen Scott  
Filed : April 20, 2004  
Art Unit : 3731  
Examiner : Unassigned  
Title : METHOD AND DEVICE FOR USE IN TISSUE  
APPROXIMATION AND FIXATION  
  
Docket No.: : SATTY 69261 (9.10)  
Customer No. : 24201

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THIRD SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

Dear Sir:

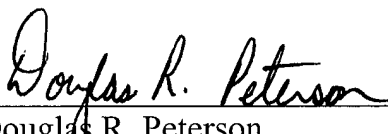
The documents listed on the enclosed Form PTO/SB/08A have come to the attention of Applicant and are submitted to the Office under 37 C.F.R. § 1.97. A copy of each of the Foreign Patent Documents and of each of the cited Non-Patent Literature Documents is enclosed.

Applicant asks the Examiner to consider these references in examining the application.

Applicant believes that this Information Disclosure Statement has been filed before the mailing date of a first Office action on the merits in accordance with 37 C.F.R. § 1.97(b)(3) and therefore, no fee is due. However, if a fee is in fact due the Commissioner is authorized to charge our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

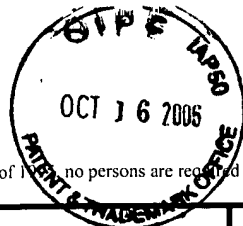
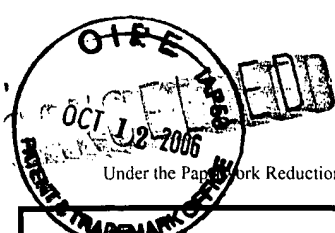
Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:   
Douglas R. Peterson  
Registration No. 53,458

DRP:jeb  
Enclosures

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143069.1



Substitute for form 1449A/PTO				Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/829,019	
(use as many sheets as necessary)				Filing Date	April 20, 2004	
Sheet	1	of	15	First Named Inventor	Jamy Gannoe	
				Art Unit	3731	
				Examiner Name	Unassigned	
				Attorney Docket Number	SATTY 69261	
U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		2,108,206	02-15-1938	Meeker		
		2,508,690	07-13-1948	Schmerl		
		3,395,710	08-06-1968	Stratton et al.		
		3,986,493	10-19-1976	Hendren, III		
		4,057,065	11-08-1977	Thow		
		4,133,315	01-09-1997	Berman et al.		
		4,198,982	04-22-2980	Fortner et al..		
		4,246,893	01-27-1981	Berson		
		4,416,267	11-22-1983	Garren et al.		
		4,485,805	12-04-1984	Foster, Jr.		
		4,501,264	02-26-1985	Rockey		
		4,592,339	06-03-1986	Kuzmak et al.		
		4,592,354	06-03-1986	Rothfuss		
		4,598,699	07-08-1986	Garren et al.		
		4,607,618	08-26-1986	Angelchik		
		4,641,653	02-10-1987	Rockey		
		4,646,722	03-03-1987	Silverstein et al.		
		4,648,383	03-10-1987	Angelchik		
		4,694,827	09-22-1987	Weiner et al.		
		4,723,547	02-09-1988	Kullas et al.		
		4,739,758	04-26-1988	Lai et al.		
		4,744,363	05-17-1988	Hasson		
		4,773,393	09-27-1988	Haber et al.		
		4,803,985	02-14-1989	Hill		
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Office <sup>3</sup> Number <sup>4</sup> Kind <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		WO 1994/18893 A1	09-01-1994	Fitton et al.		
		WO 2000/48656 A1	08-24-2000	Boston Scientific Corp.		
		WO 2001/66018 A1	09-13-2001	C.R. Bard Inc.		
		WO 2001/67964 A2	09-20-2001	Medigus Ltd.		
		WO 2001/85034 A1	11-15-2001	Geitz		
		WO 2002/35980 A2	05-10-2002	Satiety, Inc.		
Examiner Signature				Date Considered		

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>				
Sheet		2		of		15		
				Application Number		10/829,019		
				Filing Date		April 20, 2004		
				First Named Inventor		Jamy Gannoe		
				Art Unit		3731		
				Examiner Name		Unassigned		
				Attorney Docket Number		SATY 69261		
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Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		Number	Kind Code <sup>2</sup> (if known)					
		4,899,747		02-13-1990	Garren et al.			
		4,905,693		03-06-1990	Ravo			
		4,925,446		05-15-1990	Garay et al.			
		4,927,428		05-22-1990	Richards			
		4,969,474		11-13-1990	Schwarz			
		5,059,193		10-22-1991	Kuslich			
		5,084,061		01-28-1992	Gau et al.			
		5,112,310		05-12-1992	Grobe			
		5,129,915		07-14-1992	Cantenys			
		5,156,609		10-20-1992	Nakao et al.			
		5,171,233		12-15-1992	Amplatz et al.			
		5,197,649		03-30-1993	Bessler et al.			
		5,220,928		06-22-1993	Oddsen et al.			
		5,226,429		07-13-1993	Kuzmak			
		5,234,454		08-10-1993	Bangs			
		5,246,456		09-21-1993	Wilkinson			
		5,254,126		10-19-1993	Filipi et al.			
		5,259,366		11-09-1993	Reydel et al.			
		5,259,399		11-09-1993	Brown			
		5,261,920		11-16-1993	Main et al.			
		5,297,536		03-29-1994	Wilk			
		5,301,658		04-12-1994	Zhu et al.			
		5,306,300		04-26-1994	Berry			
<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		WO	2002/039880	A2	05-23-2002	McClellan et al.		
		WO	2002/071951	A1	09-19-2002	Alvarez		
		WO	2002/091961	A1	11-21-2002	Hashiba et al.		
		WO	2003/017882	A2	03-06-2003	Synecor, LLC		
		WO	2003/078721	A2	09-25-2003	Sauer		
		WO	2003/086247	A1	10-23-2003	Stack et al.		
		WO	2003/088844	A1	10-30-2003	Zubik et al.		
Examiner Signature						Date Considered		

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>				
Sheet		3		of		15		
Application Number		10/829,019						
Filing Date		April 20, 2004						
First Named Inventor		Jamy Gannoe						
Art Unit		3731						
Examiner Name		Unassigned						
Attorney Docket Number		SATY 69261						
<b>U.S. PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		Number	Kind Code <sup>2</sup> (if known)					
		5,309,896		05-10-1994	Moll et al.			
		5,309,927		05/10/1994	Welch			
		5,330,486		07-19-1994	Wilk			
		5,331,975		07-26-1994	Bonutti			
		5,334,209		08-02-1994	Yoon			
		5,334,210		08-02-1994	Gianturco			
		5,346,501		09-13-1994	Regula et al.			
		5,382,231		01-17-1995	Shlain			
		5,403,312		04-04-1995	Yates et al.			
		5,433,721		07-18-1995	Hooven et al.			
		5,449,368		09-12-1995	Kuzmak			
		5,458,131		10-17-1995	Wilk			
		5,465,894		11-14-1995	Clark et al.			
		5,467,911		11-21-1995	Tsuruta et al.			
		5,486,183		01-23-1996	Middleman et al.			
		5,489,058		02-06-1996	Plyley et al.			
		5,503,635		04-02-1996	Sauer et al.			
		5,535,935		07-16-1996	Vidal et al.			
		5,542,949		08-06-1996	Yoon			
		5,551,622		09-03-1996	Yoon			
		5,555,898		09-17-1996	Suzuki et al.			
		5,558,665		09-24-1996	Kieturakis			
		5,577,654		11-26-1996	Bishop			
<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		WO	2003/094785	A1	11-20-2003	Egan		
		WO	2004/009269	A2	01-29-2004	Craig et al.		
		WO	2004/014237	A1	02-19-2004	Gannoe et al.		
		WO	2004/017863	A2	03-04-2004	Bessler		
		WO	2004/019826	A1	03-11-2004	Cartledge et al.		
		WO	2004/037064	A2	05-06-2004	Satiety, Inc.		
Examiner Signature						Date Considered		

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Application Number		10/829,019					
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		Number	Kind Code <sup>2</sup> (if known)			
		5,578,044		11-26-1996	Gordon et al.	
		5,588,579		12-31-1996	Schnut et al.	
		5,601,604		02-11-1997	Vincent	
		5,603,443		02-18-1997	Clark et al.	
		5,639,008		06-17-1997	Gallagher et al.	
		5,649,937		07-22-1997	Bito et al.	
		5,655,698		08-12-1997	Yoon	
		5,662,664		09-02-1997	Gordon et al.	
		5,662,667		09-02-1997	Knodel	
		5,667,520		09-16-1997	Bonutti	
		5,676,659		10-14-1997	McGurk	
		5,685,868		11-11-1997	Lundquist	
		5,707,382		01-13-1998	Sierocuk et al.	
		5,735,848		04-07-1998	Yates et al.	
		5,766,216		06-16-1998	Gangal et al.	
		5,776,054		07-07-1998	Bobra	
		5,797,931		08-25-1998	Bito et al.	
		5,810,855		09-22-1998	Rayburn et al.	
		5,816,471		10-06-1998	Plyley et al.	
		5,820,584		10-13-1998	Crabb	
		5,833,690		11-10-1998	Yates et al.	
		5,836,311		11-17-1998	Borst et al.	
		5,839,639		11-24-1998	Sauer et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		WO	2004/049911	A2	06-17-2004	Hickle		
		WO	2004/058102	A2	07-15-2004	Imran		
		WO	2004/060150	A1	07-22-2004	Smith et al.		
		WO	2004/087014	A2	10-14-2004	GI Dynamics, Inc.		
		WO	2004/103189	A1	12-02-2004	Gambale et al.		
		WO	2005/023118	A1	03-17-2005	Garza Alvarez		

Examiner Signature	Date Considered
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Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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				Application Number	10/829,019			
Sheet		6	of	15	Filing Date	April 20, 2004		
					First Named Inventor	Jamy Gannoe		
					Art Unit	3731		
					Examiner Name	Unassigned		
					Attorney Docket Number	SATTY 69261		
<b>U.S. PATENT DOCUMENTS</b>								
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		Number	Kind Code <sup>2</sup> (if known)					
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				First Named Inventor		Jamy Gannoe		
				Art Unit		3731		
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		Number	Kind Code <sup>2</sup> (if known)					
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<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
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				Application Number	10/829,019			
				Filing Date	April 20, 2004			
				First Named Inventor	Jamy Gannoe			
				Art Unit	3731			
				Examiner Name	Unassigned			
				Attorney Docket Number	SATY 69261			
Sheet	11	of	15					
<b>U.S. PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
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Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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		Application Number	10/829,019
		Filing Date	April 20, 2004
		First Named Inventor	Jamy Gannoe
		Group Art Unit	3731
		Examiner Name	Unassigned
Sheet 13 of 15	Attorney Docket Number	SATY 69261	
<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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Examiner Signature		Date Considered	

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		Application Number	10/829,019
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Filing Date	April 20, 2004
		First Named Inventor	Jamy Gannoe
		Group Art Unit	3731
		Examiner Name	Unassigned
		Attorney Docket Number	SATTY 69261
(use as many sheets as necessary)			
Sheet	14	of	15
<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>			
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